

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

DANNY DYKES

*Individually and on behalf of the Estate
and Wrongful Death Beneficiaries of
JAMES A. DYKES, Deceased*

PLAINTIFF

v.

CIVIL ACTION NO. 4:15cv00076-DMB-JMV

**CLEVELAND NURSING AND
REHABILITATION CENTER, ET AL.**

DEFENDANTS

ORDER STAYING CERTAIN PROCEEDINGS

This matter is before the Court on Defendant's Motion to Stay Discovery and Pending Deadlines [33].

Essentially, Defendant requests that the Court stay discovery and all pending Case Management Order deadlines until the Court rules on its Motion to Amend the Court's February 3, 2016 Order. Because Defendant's Motion to Amend the Court's February 3 Order ultimately seeks an order compelling arbitration, the undersigned finds a stay of discovery is appropriate pursuant to L.U.Civ.R. 16(b)(3)(B). The rule provides that

[f]iling a motion to compel arbitration . . . stays the attorney conference and disclosure requirements and all discovery not related to the issue pending the court's ruling on the motion, including any appeal.

Plaintiff's Response [34] to the instant motion has failed to convince the Court that Local Rule 16(b)(3)(B) does not apply in this instance.

Further, because discovery will be stayed in this matter, Plaintiff will not be prejudiced by a stay of Defendant's expert deadline and the motions deadline. Accordingly, it is

ORDERED:

That the Defendant's motion to stay is granted, and Defendant's expert deadline, along with the discovery and motions deadlines, are hereby **STAYED** pending further order of the Court.

THIS, the 27th day of July, 2016.

/s/ Jane M. Virden
U. S. MAGISTRATE JUDGE